

Patent  
Attorney Docket: OI7011443001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No.: OI7011443001  
First Named Inventor: Juan R. Loaiza, et al.  
Prior Application Information:  
Serial No. 09/477,023  
Examiner: Emerson C. Puente  
Art Unit: 2184

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FILING UNDER 37 CFR § 1.53(b)**

03943 U.S. PTO  
08/05/03  
10/635708

This is a request for filing for a

continuation       divisional       continuation-in-part (CIP)

application under 37 CFR § 1.53(b) of pending prior application Serial No. 09/477,023 filed on January 3, 2000, by

**Juan R. Loaiza, Richard L. Frank, Joydip Kundu, Michael J. Cusson and  
Dan O'Shaughnessy**, entitled:

**METHOD AND MECHANISM FOR RELATIONAL ACCESS OF  
RECOVERY LOGS IN A DATABASE SYSTEM**

For CONTINUATION or DIVISION APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied, referenced above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

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**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Express Mail Label No.

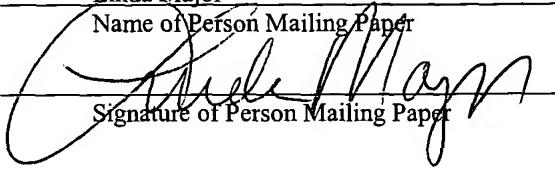
August 5, 2003

Date of Deposit

PA:52115178.1/2021039-7011443001

Linda Major

Name of Person Mailing Paper

  
Signature of Person Mailing Paper

**I. APPLICATION ELEMENTS ENCLOSED**

37 Page(s) of Written Description  
3 Page(s) of Claims  
1 Page(s) of Abstract  
5 Sheet(s) of Drawings  formal  informal  
8 Page(s) of  Declaration or  Declaration and Power of Attorney  
     Copy from prior application [37 CFR §1.63(d)]  
     Newly executed  
X Other: Title Page (1 pg.); Preliminary Amendment (7 pgs.); Fee Transmittal  
  
 Assignment papers (cover sheet and documents(s))  
 An Information Disclosure Statement, PTO 1449,  with copies of cited items.  
 Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35

**II. FEE CALCULATION**

Applicant claims small entity status under 37 CFR 1.27.

<b>BASIC FILING FEE:</b>							\$750.00
Total Claims	31	-	20	=	11	x \$18.00	\$198.00
Independent Claims	3	-	3	=	0	x \$84.00	\$0.00
Multiple Dependent Claims	\$280	(if applicable)					\$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>							\$948.00
Reduction by ½ for Filing by Small Entity.						<input type="checkbox"/>	\$0.00
Misc. Filing Fees							\$0.00
<b>TOTAL FEES DUE HEREWITH</b>							\$948.00

**III. PRIORITY - 35 USC § 119**

Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 USC § 119.

The certified copy has been filed in prior U.S. application Serial No. \_\_\_\_\_ on \_\_\_\_\_.

The certified copy will follow.

**IV. AMENDMENTS**

- Cancel in this application original Claims 1-14 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes if no new claims are added in a preliminary amendment.)
- A Preliminary Amendment is enclosed. (Claims added by Amendment must be numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**V. RELATE BACK - 35 USC § 120**

- Relate back information included in preliminary amendment or specification.
- Please insert the following:
  - With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC § 120, the inventor(s) in this application is (are) [37 CFR 1.53(b)(1)]:
    - the same.
    - less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted [see 37 CFR §§1.33(b) AND 1.63(d)(2)]:  
[Name(s) of inventor(s) to be deleted]

**VI. METHOD OF PAYMENT OF FEES**

- Attached is a check in the amount of \_\_\_\_\_.
- Charge Bingham McCutchen's Deposit Account No. 50-2518, referencing billing no. 7011443001 in the amount of \$948.00.
- Not attached. No filing fee is submitted. [This and the surcharge required by 37 CFR § 1.16(e) can be paid subsequently.]

**VII. AUTHORIZATION TO CHARGE ADDITIONAL FEES**

The Commissioner is hereby authorized to credit Bingham McCutchen's Deposit Account No. 50-2518, referencing billing no. 7011443001 for any overpayment of fees and to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 50-2518:

- 37 CFR § 1.16 (Filing fees and excess claims fees)
- 37 CFR § 1.17 (Application processing fees)
- 37 CFR § 1.21 (Assignment recordation fees)

**VIII. POWER OF ATTORNEY & CORRESPONDENCE ADDRESS**

- The power appears in the original papers in the prior application.
- The power does not appear in the original papers, but was filed by facsimile on July 9, 2003 in prior application Serial No. 09/477,023.
- A new power has been executed and is attached.

Please send all correspondence to Customer Number **23639**:

BINGHAM McCUTCHEN LLP  
Suite 1800  
Three Embarcadero Center  
San Francisco, CA 94111  
(650) 849-4870

Please direct all inquiries to Peter C. Mei, at the above Customer Number.

**IX. MAINTENANCE OF CO-PENDENCY OF PRIOR APPLICATION**

- A petition, fee and response has been filed to extend the term in the pending **prior** application until                   . A copy of the petition for extension of time in the **prior** application is attached.
- A conditional petition for extension of time is being filed in the pending **prior** application. A copy of the conditional petition for extension of time in the **prior** application is attached.

**X. ABANDONMENT OF PRIOR APPLICATION**

- Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application co-pending with said prior application. At the same time, please add the words "now abandoned" to the amendment of the specification set forth in Item V above.

Respectfully submitted,

BINGHAM McCUTCHEN LLP

Dated: 8-5-03

By: \_\_\_\_\_

  
Erin C. Ming  
Reg. No. 47,797

## Complete if Known

# FEE TRANSMITTAL FOR FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT		\$948.00	Application Number	Not yet assigned
			Filing Date	August 5, 2003
			First Named Inventor	Juan R. Loaiza et al.
			Examiner Name	Not yet assigned
			Art Unit	Not yet assigned
			Attorney Docket No.	OI7011443001

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-2518**Deposit Account Name **Bingham McCutchen LLP**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit Card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	<b>\$750</b>
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) **\$750.00**

## 2. EXTRA CLAIM FEES

Total Claims	31	-20** =	11	Extra Claims	Fee from below	Fee Paid
Independent Claims	3	-3** =	0	x	18	= <b>\$198</b>
Multiple Dependent				x	84	= <b>\$0</b>

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) **\$198.00**

\*\* or number previously paid, if greater; For reissues, see above.

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	*Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	*Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **\$**

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Erin C. Ming	Registration No. (Attorney/Agent)	47,797	Telephone	(650) 849-4904
Signature				Date	August 5, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PA:52115185.1/2021039-7011443001/OID-1999-045-01